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REMARKS

The application has been reviewed in light of the Office Action dated June 13, 2006.

Claims 1-69 were pending. By this Amendment, new claim 70 has been added, and claims 1, 46, 51 and 58-69 have been amended to correct informalities therein and/or to clarify the claimed invention, without narrowing a scope of the claimed invention. Accordingly, claims 1-70 are now pending, with claims 1, 23, 46 and 58 being in independent form.

The Office Action stated that Japanese Patent No. 2956390 which was submitted with the Information Disclosure Statement filed concurrently with this application on September 12, 2003 was not considered by the Examiner because a legible English translation of the reference was not included.

However, Applicant maintain that an English language abstract was included, pursuant to 37 C.F.R. §1.98(a)(3), with the copy of Japanese Patent No. 2956390 submitted with the Information Disclosure Statement filed on September 12, 2003. A computer printout of a copy of Japanese Patent No. 2956390 (including abstract) downloaded from the PAIR database file wrapper for this application is attached hereto as **Exhibit A.**

Accordingly, Applicant respectfully requests that the Examiner consider Japanese Patent No. 2956390 along with the English language abstract thereof, place the Examiner's initials next to the corresponding entry on the Form PTO-1449 submitted with the September 12, 2003 Information Disclosure Statement, to indicate that Japanese Patent No. 2956390 has been considered by the Examiner, and forward a copy of the Form PTO-1449 bearing the Examiner's initials to Applicant.

Claim 51 was objected to as purportedly having informalities.

By this Amendment, claim 51 has been amended to correct the informality therein.

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Withdrawal of the objection to claim 51 is respectfully requested.

Claims 46-69 were rejected under 35 U.S.C. § 101 as purportedly directed to non-statutory subject matter.

By this Amendment, claims 58-69 have been amended to clarify the claimed invention, without narrowing a scope of the claimed invention.

Withdrawal of the rejection under 35 U.S.C. § 101 is respectfully requested.

Claims 1-69 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over U.S. Patent No. 6,456,298 to Kunimasa et al. in view of U.S. Patent No. 6,100,998 to Nagao et al.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 23, 46 and 58 are patentable over the cited art, for at least the following reasons.

This application relates to the processing of graphical drawing instructions. For example, when an image is formed using page printers, contents of the image is generally specified with graphical drawing instructions. It is becoming increasingly common to print complex images comprising compositions of elements through the processing of a series of graphical drawing instructions. However, such processing can be time-consuming and in many instances, in a conventional approach, all or a portion of the product of an earlier-executed instruction is negated by a later-executed instruction.

Applicant devised an improved approach for processing graphical drawing instructions which includes determining whether a drawing process corresponding to a graphical drawing instruction, from a plurality of graphical drawing instructions, can be omitted by an image formation apparatus, based on a drawing attribute of a pattern corresponding to the graphical

drawing instruction, and making the graphical drawing instruction invalid if it is determined that

the drawing process can be omitted by the image formation apparatus, such that no drawing

operation is performed based on the graphical drawing instruction. Each of independent claims

1, 23, 46, and 58 addresses these features, as well as additional features.

Kunimasa, as understood by Applicant, proposes an image processing approach wherein

when a drawing instruction converting unit converts an input drawing instruction to a drawing

object and a drawing logical arithmetic process instruction, a drawing logical arithmetic process

instruction determining unit determines whether the drawing logical arithmetic process

instruction has content to be drawn without logical arithmetic process or not, and if the

instruction is determined to have content to be processed without drawing logical arithmetic

process, the drawing object converting unit converts the determined drawing logical arithmetic

process instruction and drawing object to those which do not require the drawing logical

arithmetic process. However, in one form or another, the instruction is performed (and not

omitted) in the approach proposed by Kunimasa.

Applicant simply does not find teaching or suggestion in Kunimasa, however, of

determining whether a drawing process corresponding to a graphical drawing instruction, from a

plurality of graphical drawing instructions, can be omitted by an image formation apparatus,

based on a drawing attribute of a pattern corresponding to the graphical drawing instruction, and

making the graphical drawing instruction invalid if it is determined that the drawing process can

be omitted by the image formation apparatus, such that no drawing operation is performed based

on the graphical drawing instruction, as provided by the subject matter of claim 1.

Nagao, as understood by Applicant, proposes a print processor configured to convert print

data into intermediate data, rasterize the intermediate data into a predetermined data structure,

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predict an amount of time for rasterizing the intermediate data on the basis of the number and the size of the graphics in the intermediate data.

Nagao, column 9, lines 39-41, proposes that a drawing state storing unit stores drawing-related information furnished by instructions from an instruction executing unit 311.   As explained in Nagao, column 10, lines 23-32, the instructions include drawing instructions for drawing text, graphics and images, as well as drawing state instructions for setting colors, line attributes and other information necessary for drawing. All of the instructions are processed in one form or another.

Contrary to the contention in the Office Action, Nagao does not teach or suggest making a graphical drawing instruction invalid if it is determined that the drawing process can be omitted by the image formation apparatus.

Applicant simply does not find disclosure or suggestion in the cited art, however, of determining whether a drawing process corresponding to a graphical drawing instruction, from a plurality of graphical drawing instructions, can be omitted by an image formation apparatus, based on a drawing attribute of a pattern corresponding to the graphical drawing instruction, and making the graphical drawing instruction invalid if it is determined that the drawing process can be omitted by the image formation apparatus, such that no drawing operation is performed based on the graphical drawing instruction, as provided by the subject matter of claim 1.

Independent claims 23, 46, and 58 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 23, 46 and 58, and the claims depending therefrom, are patentable over the cited art.

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In view of the amendments to the claims and remarks hereinabove, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,

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